

News Release



Controller of the State of California - Kathleen Connell

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FOR IMMEDIATE RELEASE

CONNELL'S BILL CLEARS WAY TO LIFESAVING BREAST CANCER TREATMENT

Connell's Bill Expands Coverage; Adds Independent Review

SAN FRANCISCO, March 26 -- "Women with breast cancer should spend their energies fighting the cancer, not insurance companies," said State Controller Kathleen Connell as she today announced legislation to compel insurance companies doing business in California to cover bone marrow transplantation therapy for treatment of breast cancer. The bill, AB 760, sponsored by Connell and authored by Assemblywoman Carole Migden (D-San Francisco) also institutes an immediate, independent review should an insurance company deny the therapy despite a physician's recommendation.

"It is outrageous that women lose precious time in their treatment because they have to file lawsuits to gain access to this therapy," said Connell in reference to Autologous Bone Marrow Transplantation (ABMT). ABMT is used only in severe situations. The patient's bone marrow is removed and then she is exposed to extremely high doses of radiation. After the treatment, which would have killed the bone marrow if left in the body, the marrow is re-introduced back into the patient. Currently, even with their doctor's recommendation, many women are denied coverage and must sue their insurance companies to get the treatment -- primarily due to its high cost:

"Non-medical personnel should not come between a woman, her doctor and a cure," said Connell, who announced her bill while touring the UC San Francisco Medical Center's Leukemia and Bone Marrow Transplantation Clinic, a leading facility where ABMT is performed.

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It was Connell who last year led the move to expand ABMT coverage to the more than 400,000 women insured by the California Public Employees Retirement System (CalPERS), which utilizes 22 health plans in its government-sponsored health care program. "CalPERS' expansion of ABMT was only the first step," said Connell. "With AB 760 we will, in effect, complete our goal of extending coverage of this lifesaving treatment to California women fighting this deadly disease."

"Denying state-of-the-art treatment for breast cancer in such an inequitable manner is clearly unacceptable," said Assemblywoman Carole Migden (D-San Francisco). "My bill guarantees that women who are denied insurance coverage will have an opportunity to appeal an insurance company's decision. This treatment, for many, is a last hope, and the decision to authorize this approach to treating breast cancer should not be delayed. This procedure must be a medical decision based on all information available about the disease, available treatments and most importantly, the individual seeking an ABMT for the treatment of breast cancer."

The two key provisions of the bill are as follows:

- * Any individual with breast cancer, whose physician recommends ABMT but whose HMO or health insurer denies coverage for it, would have **prompt access to an independent, expedited review of the coverage decision;**
- * If the independent review panel determines that the patient should receive ABMT, then **the HMO or health insurer must cover it.**

If passed, AB 760 could become law as soon as January 1, 1998.

Breast cancer is the most commonly occurring cancer in women. It is the second most common cancer killer among women, and the leading cause of death among women 40-49. It is estimated that nearly 20,000 women will be diagnosed with breast cancer for the first time in 1997. During the same period, approximately 5,000 California women will die of the cancer.